



BILLING CODE: 4510-FP-P

DEPARTMENT OF LABOR

Office of the Secretary

Agency Information Collection Activities; Submission for OMB Review; Comment Request; Attestations by Employers Using Alien Crewmembers for Longshore Activities in U.S. Ports

ACTION: Notice.

SUMMARY: The Department of Labor (DOL) is submitting the Employment and Training Administration (ETA) sponsored information collection request (ICR) revision titled, "Attestations by Employers Using Alien Crewmembers for Longshore Activities in U.S. Ports," to the Office of Management and Budget (OMB) for review and approval for use in accordance with the Paperwork Reduction Act (PRA) of 1995 (44 U.S.C. 3501 et seq.).

DATES: Submit comments on or before [INSERT DATE 30 DAYS AFTER THE DATE OF PUBLICATION IN THE FEDERAL REGISTER].

ADDRESSES: A copy of this ICR with applicable supporting documentation; including a description of the likely respondents, proposed frequency of response, and estimated total burden may be obtained free of charge from the RegInfo.gov Web site at [http://www.reginfo.gov/public/do/PRAViewICR?ref\\_nbr=201306-1205-008](http://www.reginfo.gov/public/do/PRAViewICR?ref_nbr=201306-1205-008) (this link will only become active on the day following publication of this notice) or by contacting

Michel Smyth by telephone at 202-693-4129 (this is not a toll-free number) or sending an email to DOL\_PRA\_PUBLIC@dol.gov.

Submit comments about this request to the Office of Information and Regulatory Affairs, Attn: OMB Desk Officer for DOL-ETA, Office of Management and Budget, Room 10235, 725 17th Street, N.W., Washington, DC 20503, Fax: 202-395-6881 (this is not a toll-free number), email: OIRA\_submission@omb.eop.gov. Commenters are encouraged, but not required, to send a courtesy copy of any comments to the U.S. Department of Labor-OASAM, Office of the Chief Information Officer, Attn: Information Management Program, Room N1301, 200 Constitution Avenue, N.W, Washington, D.C. 20210, email: DOL\_PRA\_PUBLIC@dol.gov.

FOR FURTHER INFORMATION: Contact Michel Smyth by telephone at 202-693-4129 (this is not a toll-free number) or by email at DOL\_PRA\_PUBLIC@dol.gov.

AUTHORITY: 44 U.S.C. 3507(a)(1)(D).

SUPPLEMENTARY INFORMATION: This ICR seeks OMB approval for revisions to the Employers' Attestation to Use Alien Crewmembers for Longshore Activities in U.S. Ports, Form ETA-9033, (currently approved under Control Number 1205-0309) and the Employers' Attestation to Use Alien Crewmembers for Longshore Activities in the State of Alaska, Form ETA-9033A (currently approved under Control Number 1205-0352).

The information collection is required by Immigration and Nationality Act section 258 (8 U.S.C. 1288) and regulations 20 CFR 655 subpart F. The ETA collects the attestations from shipping companies seeking to use foreign crewmembers for longshore work when no U.S. workers are available.

This ICR has been classified as a revision, because the DOL is merging two Control Numbers, which will simplify the process for both the stakeholder community interested in these collections and the Federal staff reviewing and enforcing the attestations. Control Number 1205-0352 will survive after the merger. The DOL is also proposing changes to the layout of the forms for ease of review and completion. Finally, the DOL proposes to add a few new collection fields that will more accurately capture employer and job-related information. The update of the forms will, for example, reflect current communications methods by requesting email addresses rather than fax numbers.

This information collection is subject to the PRA. A Federal agency generally cannot conduct or sponsor a collection of information, and the public is generally not required to respond to an information collection, unless it is approved by the OMB under the PRA and displays a currently valid OMB Control Number. In addition, notwithstanding any other provisions of law, no person shall generally be subject to penalty for failing to comply with a collection of information that does not display a valid Control Number. See 5 CFR 1320.5(a) and 1320.6. The DOL obtains OMB approval for this information collection under Control Numbers 1205-0309 and 1205-0352. The current approval for Control Number 1205-0309 is scheduled to expire on October 31, 2013, and Control Number 1205-0352 expires October 31, 2014. It should be noted that existing information collection requirements submitted to the OMB receive a month-to-month extension while they undergo review. New requirements would only take effect upon OMB approval. For additional substantive information about this ICR, see the related notice published in the Federal Register on August 8, 2013 (78 FR 48463).

Interested parties are encouraged to send comments to the OMB, Office of Information and Regulatory Affairs at the address shown in the ADDRESSES section within 30 days of publication of this notice in the Federal Register. In order to help ensure appropriate consideration, comments should mention OMB Control Number 1205-0309. The OMB is particularly interested in comments that:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Enhance the quality, utility, and clarity of the information to be collected; and
- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

Agency: DOL-ETA.

Title of Collection: Attestations by Employers Using Alien Crewmembers for Longshore Activities in U.S. Ports.

OMB Control Numbers: 1205-0309 and 1205-0352.

Affected Public: Private Sector—businesses or other for profits.

Total Estimated Number of Respondents: 7.

Total Estimated Number of Responses: 7.

Total Estimated Annual Burden Hours: 8.

Total Estimated Annual Other Costs Burden: \$0.

Dated: October 24, 2013.

Michel Smyth,

Departmental Clearance Officer.

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